

MAIL STOP
AMENDMENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: A.N. Neogi et al. Attorney Docket No.: WEYE120773/25194
Application No.: 10/602,208 Art Unit: 1773 / Confirmation No.: 2234
Filed: June 23, 2003 Examiner: L.B. Kiliman
Title: METHODS FOR ESTERIFYING HYDROXYL GROUPS IN WOOD

RESPONSE TRANSMITTAL LETTER

Seattle, Washington 98101
October 3, 2005

TO THE COMMISSIONER FOR PATENTS:

A. Response Transmittal

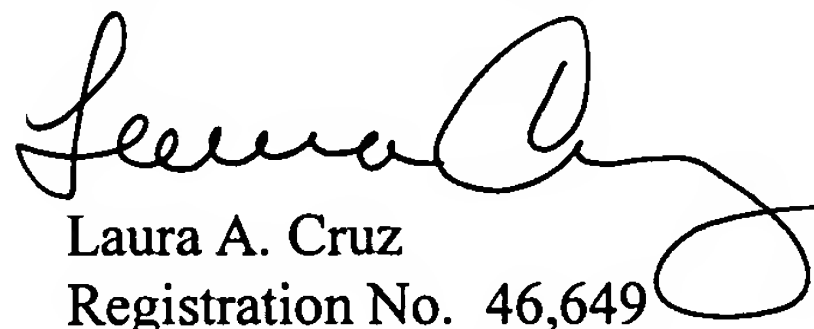
Transmitted herewith is a response to an Office Action in the above-identified application. No additional claim fee is required.

B. Additional Fee Charges or Credit for Overpayment

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16, 1.17 and 1.18 which may be required during the entire pendency of the application, or credit any overpayment, to Deposit Account No. 03-1740. This authorization also hereby includes a request for any extensions of time of the appropriate length required upon the filing of any reply during the entire prosecution of this application.

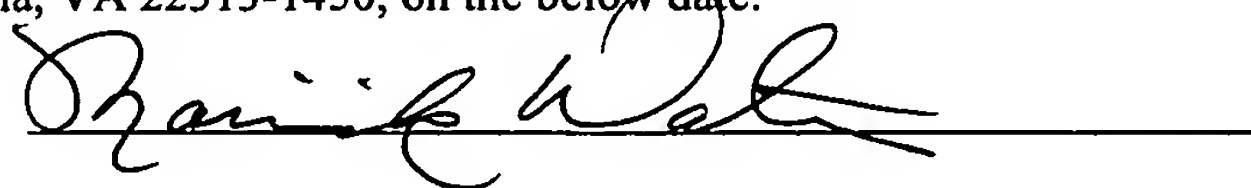
Respectfully submitted,

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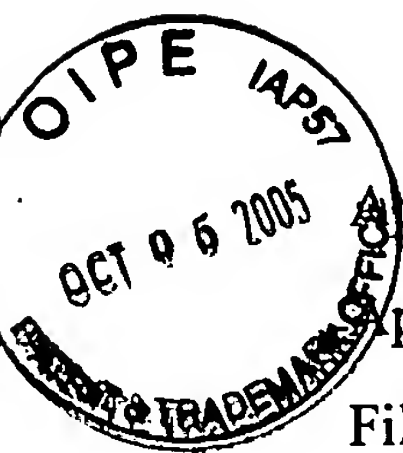

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I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed envelope as first class mail with postage thereon fully prepaid and addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the below date.

Date: October 3, 2005
LXC:mmw



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TO THE COMMISSIONER FOR PATENTS:

This paper is filed in response to the Office Action mailed on July 5, 2005, under 37 C.F.R. § 1.313(b), notifying applicants of the application's withdrawal from issuance. Claims 1-20 are currently pending. Claims 1-20 stand rejected. Reconsideration of Claims 1-20 is respectfully requested.

The Rejection of Claim 20 Under 35 U.S.C. § 102(b) or 35 U.S.C. § 103(a)

Claim 20 is rejected under 35 U.S.C. § 102(b) as anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over "Acetylation of Solid Wood Using Microwave Heating, Part 2. Experiments in Laboratory Scale" by Brelid et al.

Applicants respectfully disagree. Claim 20 is a product-by-process claim that also recites esterified wood made from a loblolly, slash, longleaf, shortleaf, or radiata pine, wherein the claimed wood product is esterified by the recited process.

For a reference to be anticipatory, the reference must exactly describe the claimed invention. Because Brelid does not describe any one of loblolly, slash, longleaf, shortleaf, or radiata pine, the reference is not anticipatory.

Applicants submit there are many species of pine, out of which, applicants recite five species in Claim 20. The scientific names for the species are provided in the application at

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